

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-1(b)  
Denise Carlon, Esquire  
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Attorneys for Secured Creditor  
Citibank, N.A., as trustee for CMLTI Asset Trust



Order Filed on September 25, 2020  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

In Re:  
Robert B. Smith  
  
Debtor.

Case No.: 19-30777 ABA

Adv. No.:


Hearing Date: 8/11/2020 @ 10:00 a.m.

Judge: Andrew B. Altenburg, Jr.

**ORDER CURING POST-PETITION ARREARS AND RESOLVING SECURED  
CREDITOR'S MOTION FOR RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED.**

**DATED: September 25, 2020**

  
\_\_\_\_\_  
Honorable Andrew B. Altenburg, Jr.  
United States Bankruptcy Court

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Debtor: Robert B. Smith

Case No: 19-30777 ABA

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF

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This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Citibank, N.A., as trustee for CMLTI Asset Trust, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 1675 Hollywood Ave, Blackwood, NJ, 08012, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Eric Clayman, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of September 15, 2020 Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due February 2020 through September 2020 for a total post-petition default of \$1,669.90 (8 @ \$215.69, \$55.62 less suspense); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$1,669.90 shall be added to the affidavit of amount due and paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that the debtor will submit a modified plan within twenty days of the entry of this order; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume October 1, 2020, directly to Secured Creditor, Fay Servicing, LLC, P.O. Box 814609, Dallas, TX 75381 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtor's Chapter 13 plan and motion for relief is hereby resolved.

## Certificate of Notice Page 3 of 3

United States Bankruptcy Court  
District of New JerseyIn re:  
Robert B. Smith  
DebtorCase No. 19-30777-ABA  
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin  
Form ID: pdf903Page 1 of 1  
Total Noticed: 1

Date Rcvd: Sep 25, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 27, 2020.

db +Robert B. Smith, 1675 Hollywood Avenue, Blackwood, NJ 08012-5032

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.****Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Sep 27, 2020

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 25, 2020 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Citibank, N.A., as Trustee for CMLTI Asset Trust  
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com

Elizabeth L. Wassall on behalf of Creditor WELLS FARGO BANK, N.A. ewassall@logs.com,  
njbankruptcynotifications@logs.com

Eric Clayman on behalf of Debtor Robert B. Smith jenkins.clayman@verizon.net,  
connor@jenkinsclayman.com

Harold N. Kaplan on behalf of Creditor Citibank, N.A., as trustee for CMLTI Asset Trust  
hkaplan@rasnj.com, informationathnk@aol.com

Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com

Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,  
summarymail@standingtrustee.com

Rhondi L. Schwartz on behalf of Debtor Robert B. Smith jenkins.clayman@verizon.net

Stephanie F. Ritigstein on behalf of Debtor Robert B. Smith jenkins.clayman@verizon.net,  
connor@jenkinsclayman.com

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9